

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CHAD RINE,	)	Case No.: 5:17 CV 2654
	)	
Plaintiff	)	
	)	
v.	)	JUDGE SOLOMON OLIVER, JR.
	)	
COMMISSIONER OF	)	
SOCIAL SECURITY,	)	
	)	
Defendant	)	<u>ORDER OF DISMISSAL</u>

On December 20, 2017, Plaintiff commenced this civil action, appealing the final administration decision denying Plaintiff's Social Security Disability Benefits application for lack of a disability. (Compl., ECF No. 1.) Plaintiff also filed the instant IFP Motion. (ECF No. 3.) On December 21, 2017, Magistrate Judge Greenberg submitted an R&R, recommending that Plaintiff's IFP Motion be denied because, “[i]n light of Plaintiff and his spouse's other assets, and in the absence of evidence or an explanation to the contrary, it does not appear the cost of filing would impose an undue hardship on Plaintiff.” (R&R Denying IFP Motion 4, ECF No. 5.) Magistrate Judge Greenberg further recommended that, should the R&R be adopted by the court, Plaintiff be ordered to pay the \$400 filing fee within fourteen (14) days of the date of that Order. (*Id.*) Plaintiff failed to file any objections to the R&R.

On January 19, 2018, the court adopted the R&R denying Plaintiff's Motion to proceed IFP. (ECF No. 6.) Subsequently, because Plaintiff failed to file the \$400 filing fee within fourteen (14) days of the court's Order, Magistrate Judge Greenberg submitted an additional R&R recommending that this matter be dismissed without prejudice for failure to prosecute based on Plaintiff's failure

to pay the filing fee. (R&R Dismissing Case 2, ECF No. 7.)

As of the date of this Order, Plaintiff has failed to file any objections to the R&R recommending dismissal. Because a timely objection has not been filed, “the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee’s note; *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require the district court review of a magistrate[] [judge’s] factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).

After careful review of Magistrate Judge Greenberg’s R&R and all other relevant documents in the record, the court finds no clear error. Accordingly, the court adopts as its own Magistrate Judge Greenberg’s R&R (ECF No. 7) in its entirety and hereby dismisses this action without prejudice for failure to prosecute.

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.  
UNITED STATES DISTRICT JUDGE

March 1, 2018